



Old King's Highway Regional Historic District Commission

First District Courthouse, Barnstable, Mass. 02630

Telephone: 617-362-4092

MAR 31 1982

TOWN OF YARMOUTH  
TOWN CLERK

ARTHUR K. GOODALE,  
Appellant

VS

DECISION  
Case #82-3

OLD KING'S HIGHWAY REGIONAL  
HISTORIC DISTRICT COMMITTEE  
FOR THE TOWN OF YARMOUTH

A hearing was held on March 30, 1982, by the above Commission on an appeal filed by Arthur K. Goodale to a decision by the Yarmouth Historic District Committee which had approved an application for modification to the construction of a new dwelling located at 91 Main Street, Yarmouth Port, Massachusetts.

Present were: Mr. MacSwan, Barnstable, Mr. Ivers, Brewster, Mr. Brown, Orleans, Mr. Long, Yarmouth, Mr. Hanger, Dennis, Mr. White, Sandwich and Mr. Wilson, counsel for the Commission, Mr. Goodale, the appellant and Mr. Foley, applicant.

The decision of the Yarmouth Committee was filed with the Town Clerk on February 25, 1982 and the appeal entered with the Commission on March 5, 1982, within the ten day appeal period.

All members indicated that they had visited the site and were familiar with the neighborhood. Additionally, photographs of the area and plans of the proposed modifications were submitted to the members.

Mr. Goodale addressed the Commission and stated that his objection to the modifications was the placement of two skylights on the front roof of the proposed dwelling. He indicated that he felt that the placement of the skylights would set a precedent in the neighborhood for the installation of skylights and that he felt the skylights would detract from the appearance of the proposed dwelling. He further indicated that Yarmouth Port and the immediate neighborhood was a very critical area designated as A- zone on the Yarmouth historic geographical map. The type of skylight proposed by the applicant appeared to be the velux style with a flat pane of glass.

David Morley, an abutter to the property supported the objection of Mr. Goodale and stated he felt the approval of the skylights would have a detrimental impact on the immediate surrounding neighborhood.

Mr. Foley addressed the Commission and stated that his house was not very visible from Route 6A and was located



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approximately 500 feet from the road. He further indicated that the house would be obscured by trees and other vegetation. He offered photographs of the site to support his contentions.

Mr. Hanger observed that he had visited the site and found the building to be located a suitable distance away from Route 6A and that the visibility of the proposed skylights was minimal.

Mr. Brown concurred with Mr. Hanger's observations.

After lengthy discussion by the commissioners, the following findings and determination were adopted:

1. That the proposed skylights were to be located a substantial distance off of Route 6A and largely obscured from view by the general public.

2. That the visibility of the skylights was minimal and therefore would not have a significant impact upon the neighborhood.

3. That the Yarmouth Committee did not exceed its authority in granting a Certificate of Appropriateness that allowed the installation of the proposed skylights.

Therefore, the decision of the Yarmouth Committee is affirmed.

Respectfully submitted

*Harris H. Ivers*  
Harris H. Ivers  
Chairman

There is a right to appeal this decision to Barnstable District Court within 20 days of its filing with the Yarmouth Town Clerk.